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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Himmel et al.**

§ Group Art Unit: **2172**

Serial No.: **09/925,265**

§ Examiner: **Ehichioya, Fred I.**

Filed: **August 9, 2001**

§ Attorney Docket No.: **AUS920010557US1**

For: **Smart Receipt**

§

Certificate of Mailing Under 37 C.F.R. § 1.8(a)

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By:

Carrie Parker

Carrie Parker

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Sir:

ENCLOSED HEREWITH:

- Appellant's Brief (in triplicate) (37 C.F.R. 1.192); and
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A fee of \$330.00 is required for filing an Appellant's Brief. Please charge this fee to IBM Corporation Deposit Account No. 09-0447. No additional fees are believed to be necessary. If, however, any additional fees are required, I authorize the Commissioner to charge these fees which may be required to IBM Corporation Deposit Account No. 09-0447. No extension of time is believed to be necessary. If, however, an extension of time is required, the extension is requested, and I authorize the Commissioner to charge any fees for this extension to IBM Corporation Deposit Account No. 09-0447.

Respectfully submitted,

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**ATTENTION: Board of Patent Appeals
and Interferences**

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APPELLANT'S BRIEF (37 C.F.R. 1.192)

This brief is in furtherance of the Notice of Appeal, filed in this case on June 21, 2004.

The fees required under § 1.17(c), and any required petition for extension of time for filing this brief and fees therefore, are dealt with in the accompanying TRANSMITTAL OF APPEAL BRIEF.

This brief is transmitted in triplicate. (37 C.F.R. 1.192(a))

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REAL PARTIES IN INTEREST

The real party in interest in this appeal is the following party:

International Business Machines Corporation of Armonk, New York.

RELATED APPEALS AND INTERFERENCES

With respect to other appeals or interferences that will directly affect, or be directly affected by, or have a bearing on the Board's decision in the pending appeal, there are no such appeals or interferences.

STATUS OF CLAIMS

A. TOTAL NUMBER OF CLAIMS IN APPLICATION

Claims in the application are: 1-24

B. STATUS OF ALL THE CLAIMS IN APPLICATION

1. Claims canceled: NONE
2. Claims withdrawn from consideration but not canceled: NONE
3. Claims pending: 1-24
4. Claims allowed: NONE
5. Claims rejected: 1-24

C. CLAIMS ON APPEAL

The claims on appeal are: 1-24

STATUS OF AMENDMENTS

All of the amendments to the claims have been entered. No after final amendments were made in this case.

SUMMARY OF INVENTION

The present invention provides a method, program, and system for processing electronic receipts within a computer network. The present invention comprises creating a customer profile for a user using a Smart Receipt application. When the user purchases items, electronic receipts (smart receipts) are sent from the point of sale to a designated database. The database may be on a credit card company server, the product manufacturer's server, a special cash receipts server, or a central clearing house server. When the customer wants a copy of a receipt, he or she enters search parameters which specify the desired receipt. The search parameters may include item type, date of purchase, and method of purchase. A Smart Receipt object is then initiated, which retrieves the specified smart receipt from the appropriate database, according to the search parameters. A copy of the retrieved smart receipt is then downloaded to a client machine (e.g. PDA, PC) designated by the customer profile. (*see* Specification, page 3, lines 3-21).

ISSUES

The issues on appeal are:

1. Whether claims 1-7, 9-10, 13, 15-17, 18, 19, 21, and 23-24 are obvious as being unpatentable over *Makipaa et al.* (U.S. Patent No. 6,394,341 B1) in view of *Ogasawara* (US Patent No. 6,577,861 B2).
2. Whether claims 8, 11-12, 14, 18, 20, and 22 are obvious under 35 U.S.C. § 103(a) as being unpatentable over *Makipaa et al.* (U.S. Patent No. 6,394,341 B1) in view of *Ogasawara* (US Patent No. 6,577,861 B2) and further in view of *Smith* (U.S. Patent No. 6,487,540).

GROUPING OF CLAIMS

The claims do not stand or fall together as a single group with regard to the rejection of claims 1-7, 9-10, 13, 15-17, 18, 19, 21, and 23-24. The claims stand or fall based on the following grouping of claims:

Group A: claims 1, 3-7, 9-10, 13, 15, 17, 18, 19, 21, and 23

Group B: claims 2, 16, and 24

Group C: claim 10

ARGUMENT

I. 35 U.S.C. § 103, Claims 1-7, 9-10, 13, 15-17, 19, 21, and 23-24

The examiner rejects claims 1-7, 9-10, 13, 15-17, 19, 21, and 23-24 under 35 U.S.C. § 103(a) as being unpatentable over *Makipaa et al.* (U.S. Patent No. 6,394,341) in view of *Ogasawara* (US Patent No. 6,577,861 B2). This rejection is respectfully traversed.

With regard to the rejection of claims 1, 15 and 23, the Office Action states:

Regarding claims 1, 15 and 23, Makipaa teaches managing an electronic document within a computer network, the method, computer program product and system comprising:

creating a customer profile for a user (see column 11, lines 32-36);

sending the electronic receipt from the point of sale to a database, wherein the database is designated by the customer profile (see column 2, lines 1-21).

Makipaa teaches electronic receipt (column 1, lines 58-63).

However, Ogasawara teaches setting a user preference in a customer profile, wherein the user preference specifies one or more databases, out of plurality of databases, to which an electronic receipt is to be sent from point of sale devices (see column 10, lines 33-57);

creating an electronic receipt containing information about a transaction executed by the user at a point of sale device (see column 7, lines 33-41)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine teaching of Ogasawara with the teaching of Makipaa wherein electronic receipts are generated at the point of sales. The wireless telephone is the preference database of the customer to receive the electronic receipt. The wireless telephone has a database capable of receiving the electronic receipt. The motivation is that the customer can check the electronic receipts from anywhere at any time.

Final Office Action dated May 3, 2004, page 5.

The examiner bears the burden of establishing a *prima facie* case of obviousness based on the prior art when rejecting claims under 35 U.S.C. § 103. *In re Fritch*, 972 F.2d 1260, 23 U.S.P.Q.2d 1780 (Fed. Cir. 1992). For an invention to be *prima facie* obvious, the prior art must teach or suggest all claim limitations. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974).

GROUP A, claims 1, 3-7, 9, 13, 15, 19, 21, and 23

Independent claim 1, which is representative of the claims in Group A, currently reads as follows:

1. A method for managing an electronic document within a computer network, the method comprising:
 - creating a customer profile for a user;
 - setting a user preference in a customer profile, wherein the user preference specifies one or more databases, out of a plurality of databases, to which an electronic receipt is to be sent from point of sale devices;**
 - creating an electronic receipt containing information about a transaction executed by the user at a point of sale device; and
 - sending the electronic receipt from the point of sale device to the **one or more databases specified by the user preference.** (emphasis added)

The claimed invention recites setting a user preference in a customer profile, wherein the user preference specifies one or more databases, out of a plurality of databases, to which an electronic receipt is to be sent from point of sale devices. The examiner states that *Ogasawara* teaches this feature in the following passage:

Based upon the download program ID, the appropriate download program is downloaded from the store server 10 or remote server 26 to the wireless telephone 18. The particular purchase transaction program (which has a unique ID) which is transmitted from the store server 10 or remote server 26 to the wireless telephone 18 is selected so as to be consistent with the purchaser's profile, e.g., telephone type, as well as the purchaser's personal preferences, such as language and particular interests.

The store server 10 or remote server 26 personal shopping application facilitates purchase transactions. Each message coming from a wireless telephone 18 is associated with the customer's telephone number, the customer ID, or some other unique identification. When the store server 10 or remote server 26 receives bar code data from the customer's wireless telephone 18, then the store server 10 or remote server 26 searches a database and obtains a description and price for the item scanned. The item description and price is then transmitted to the customer's

wireless telephone 18 and is preferably displayed upon the display 42 thereof. All of the data received from the customer's wireless telephone 18, including data regarding returned items (those which the customer has decided not to purchase) are kept by the store server 10 or remote server 26 so as to facilitate a subsequent payment procedure.

Ogasawara, col. 10, lines 33-57.

The *Ogasawara* reference generally teaches an electronic shopping system for facilitating purchase transactions via a wireless telephone. When a customer wants to purchase an item, a purchase transaction program is downloaded from the seller's server to a purchaser's wireless telephone via a program loader contained within the purchaser's wireless telephone. The purchase transaction program is stored in a program memory of the purchaser's wireless telephone. The purchaser uses the purchase transaction program to facilitate the selection of items to be purchased, as well as the payment. An external bar code reader is attached to the wireless telephone to facilitate the selection of items to be purchased and is controlled via the downloaded purchase transaction program (*Ogasawara*, Abstract).

Regarding the particular *Ogasawara* section cited above, the passage does not teach or suggest setting a user preference in a customer profile, wherein the user preference specifies one or more databases, out of a plurality of databases, to which an electronic receipt is to be sent from point of sale devices. While *Ogasawara* may teach creating and downloading an electronic receipt, there is nothing in the passage above that even alludes to or provides any incentive for setting a user preference in a customer profile, wherein the user preference specifies one or more databases, out of a plurality of databases, to which an electronic receipt is to be sent from point of sale devices.

To the contrary, a user's personal preferences, such as language and particular interests, may be used to determine a particular purchase transaction program to download to the user's wireless telephone. However, there is no mention in *Ogasawara* of having the location of storage specified by a user preference in a customer profile. There is nothing in *Ogasawara* that even discloses allowing a user to specify a storage location, let alone setting a preference in a customer profile that specifies the database where the receipt is to be sent from a point of sale device. Thus, the user in *Ogasawara* cannot determine which database the electronic receipt is going to be sent to from the point of sale device by setting a user preference in a customer

profile.

In addition, the claimed invention recites sending the electronic receipt from the point of sale device to the one or more databases specified by the user preference. The examiner states that *Makipaa* teaches this feature in the following passage:

The user information system communicates with at least one of the transaction provider or the user device and stores at least the electronic receipt which is received from the user device or the transaction provider which is verified by the user information system to have been accepted by the user of the user device. As a result of storage of at least the verified electronic receipt, the user information system becomes either a personal or business database which stores detailed information about the contents of the transaction and the individual items included in the transaction such as that which is typically recorded on a paper receipt.

The invention provides diverse benefits to users of the user device, transaction providers and intermediate service providers for developing business associated with the financial transaction. Examples are: customer buying information management, product buying information management, customer profile management, loyalty management, user information marketing, personal financial management, professional financial management and price tracking as described below.

Makipaa, col. 2, lines 1-21.

The *Makipaa* reference generally teaches a system for collecting and processing financial data from a transaction such as the purchase of goods and services. The user authorizes the transaction with a user device that communicates with a transaction providers system. *Makipaa* then generates an electronic receipt containing information regarding the transaction. A user information system communicates with the transaction provider and/or the user device and stores the electronic receipt which is received from the user device or the transaction provider.

Alternatively, the electronic receipt may be forwarded to the user information system through an intermediate service provider such as a bank or a smart, credit, or debit card clearinghouse. The intermediate service provider processes information relating to the accepted financial transaction transmitted by the transaction provider to the intermediate service provider. Thus, *Makipaa* is concerned with generating an electronic receipt that can be transferred to a user either directly or indirectly through an intermediate service provider.

Regarding the particular *Makipaa* section cited above, the passage does not teach or suggest sending the electronic receipt from the point of sale device to the one or more databases

specified by the user preference. While *Makipaa* discloses storage of at least the verified electronic receipt sending the electronic receipt either to a user information system, a user device, or through an intermediate service provider, *Makipaa* does not disclose that the electronic receipt is sent to any of the above mentioned locations based on a preference that a user sets in his/her profile. As can be seen from the passage above, there is nothing that even alludes to a mechanism for allowing a user to set in his/her profile where the electronic receipt will be sent. Thus, *Makipaa* fails to teach or suggest sending the electronic receipt from the point of sale device to the one or more databases specified by the user preference.

In addition, *Makipaa* does not cure the deficiencies of *Ogasawara*. While *Makipaa* mentions a user profile, the user profile of *Makipaa* has nothing to do with setting a user preference in a customer profile, wherein the user preference specifies one or more databases, out of a plurality of databases, to which an electronic receipt is to be sent from point of sale devices. To the contrary, the user profile in *Makipaa* is not even created by the user; thus, the user does not have the ability to set such a preference. Rather, at column 6, lines 56-58, *Makipaa* states “the transaction provider may create profiles of a user of the user device based on types of purchases which are made.” Thus, the profile in *Makipaa* is created by a transaction provider and is used to record types of purchases made by the user. As the user profile in *Makipaa* has nothing to do with specifying databases to store receipts, *Makipaa* does not teach or suggest setting a user preference in a customer profile, wherein the user preference specifies one or more databases, out of a plurality of databases, to which an electronic receipt is to be sent from point of sale devices, as recited in claims 1, 15, and 23 of the present invention.

Accordingly, applicants respectfully request that the rejection of claims 1, 3-7, 9, 13, 15, 17, 19, 21, and 23 under 35 U.S.C. § 103 be withdrawn.

GROUP B, claims 2, 16, and 24

The rejection of the claims in this group are traversed for at least the same reasons as noted above with respect to claim 1 in Group A. Specifically, neither *Makipaa* nor *Ogasawara*, either alone or in combination, teach or suggest setting a user preference in a customer profile, wherein the user preference specifies one or more databases, out of a plurality of databases, to which an electronic receipt is to be sent from point of sale devices. The features relied upon as being taught in the *Makipaa* nor *Ogasawara* references are not taught or suggested by the

references, as explained above. Since the claims in Group B depend from the claims in Group A, the cited references would not reach the claimed invention as recited in the claims in Group B.

In addition, claims 2, 16, and 24 recite additional patentable features not present in the cited references. Claim 2, which is representative of the claims in Group B, currently reads as follows:

2. The method according to claim 1, further comprising:
 - receiving search parameters from the user, wherein the search parameters specify an electronic receipt within the one or more databases specified by the user preference;
 - initiating a receipt search object which retrieves the specified electronic receipt from the one or more databases specified by the user preference, according to the search parameters; and
 - downloading a copy of the retrieved electronic receipt to a client machine designated by the customer profile.

The claimed invention recites the features of receiving search parameters from the user, wherein the search parameters specify an electronic receipt within the one or more databases specified by the user preference, and initiating a receipt search object which retrieves the specified electronic receipt from the one or more databases specified by the user preference, according to the search parameters. The examiner states that *Ogasawara* teaches these features in the following passage:

The downloaded purchase transaction program also facilitates payment for the purchases. When self payment is made, the customer depresses a predefined key sequence on the keypad of the wireless telephone to inform the downloaded purchase transaction program that shopping is finished. The total price is displayed and the customer acknowledges the total via the keypad. After verifying the total price, then the downloaded purchase transaction program optionally asks the customer which payment method is to be utilized, preferably via a menu. The customer then selects the desired method of payment via the keypad. Optionally, the customer may use a pre-registered credit card account to effect such payment. If a receipt is requested by the customer, then a receipt printer server at a in-store location provides the customer with a receipt.

Alternatively, payment may be effected at a checkout counter, wherein the customer goes to the checkout terminal, e.g., a point-of-sale terminal, and scans the checkout terminal's bar code, or input checkout terminal ID from the keypad, or input the telephone number or customer ID at the checkout terminal in order to link the wireless telephone and the checkout terminal to one another. The checkout terminal receives shopping information from the server (which was previously communicated from the wireless telephone to the server) and payment may be effected in a contemporary manner, e.g., via cash, credit card, debit card,

check, etc.

If a remote server is utilized, and the remote server services a plurality of different retail stores using the same telephone number, then the customer's telephone may send store location information, which may be effected via scanning of a store bar code located on a shopping cart, for example. This store location information is used for inventory management such that items purchased from a given store are identified as having been purchased from that particular store.

According to the preferred embodiment of the present invention the server receives the incoming telephone call from the customer's wireless telephone and downloads the appropriate purchase transaction program to the customer's wireless telephone. The server also sends and receives information to and from the customer's telephone, via a server personal shopping application. When the server is called by the customer's telephone, the telephone interface obtains the caller's telephone number, then searches the customer information database within the server so as to obtain the customer's telephone type, the customer's identification number, and the customer's name.

Ogasawara, col. 6, lines 21-67.

This section merely teaches that the purchase transaction program may be used to facilitate payment for the purchases. For example, the customer may use the wireless telephone keypad to indicate that the customer is finished shopping, acknowledge the purchase price total, and select the desired method of payment. The customer may also link the wireless telephone and a checkout terminal in order for the checkout terminal to obtain the shopping information from the server. The server may search the customer information database within the server so as to obtain the customer's telephone type, the customer's identification number, and the customer's name. However, receiving information from the customer as to when the customer is finished shopping, what form of payment the customer wants to use and then searching the customer information database is not the same as receiving search parameters from the user, wherein the search parameters specify an electronic receipt within the one or more databases specified by the user preference. The *Ogasawara* passage above never mentions having a user preference specify one or more databases, let alone having user search parameters specify an electronic receipt in one or more of the user preference specified databases.

As *Ogasawara* does not teach or suggest receiving search parameters from the user, wherein the search parameters specify an electronic receipt within the one or more databases specified by the user preference, it must follow that *Ogasawara* also fails to teach or suggest initiating a receipt search object which retrieves the specified electronic receipt from the one or

more databases specified by the user preference, according to the search parameters.

Consequently, *Ogasawara* fails to teach or suggest receiving search parameters from the user, wherein the search parameters specify an electronic receipt within the one or more databases specified by the user preference, and initiating a receipt search object which retrieves the specified electronic receipt from the one or more databases specified by the user preference, according to the search parameters.

Therefore, the *Makipaa* and *Ogasawara* references fail to teach or suggest the present invention as recited in claims 2, 16, and 24. Accordingly, applicants respectfully request that the rejection of claims 2, 16, and 24 under 35 U.S.C. § 103 be withdrawn.

GROUP C, claim 10

The rejection is respectfully traversed for at least the same reasons as noted above with respect to the claim in Group A. Specifically, neither *Makipaa* nor *Ogasawara*, either alone or in combination, teach or suggest setting a user preference in a customer profile, wherein the user preference specifies one or more databases, out of a plurality of databases, to which an electronic receipt is to be sent from point of sale devices. The features relied upon as being taught in the *Makipaa* nor *Ogasawara* references are not taught or suggested by the references, as explained above. Since claim 10 depends from claim 1 in Group A, the cited references would not teach the claimed invention in claim 10 in Group C.

In addition, claim 10 recites additional features not present in the cited references. Claim 10 currently reads as follows:

10. The method according to claim 1, wherein merchants and manufacturers may use the electronic receipts to send product information to customers, the product information comprising at least one of the following:

- extended warranties;
- product upgrades;
- product recalls;
- product safety updates;
- identical items available for exchange; and
- alternative and substitute items available for exchange.

Neither *Makipaa* nor *Ogasawara*, either alone or in combination, teaches or suggests that merchants and manufacturers may use the electronic receipts to send product information to customers, wherein the product information comprises at least one of the following: extended

warranties, product upgrades, product recalls, product safety updates, identical items available for exchange and alternative and substitute items available for exchange. The examiner alleges that *Ogasawara* teaches this feature at column 10, lines 50-57 and column 7, lines 33-41, which read as follows:

The item description and price is then transmitted to the customer's wireless telephone 18 and is preferably displayed upon the display 42 thereof. All of the data received from the customer's wireless telephone 18, including data regarding returned items (those which the customer has decided not to purchase) are kept by the store server 10 or remote server 26 so as to facilitate a subsequent payment procedure.

Ogasawara, col. 10, lines 50-57.

The electronic receipt is originated at the server and sent to the wireless telephone and then stored in the IC Card. Stored electronic receipts may later be input to a personal financial application, such as in a personal computer at the home of the customer. The electronic receipt may also simply be displayed by a home personal computer. A plurality of such electronic receipts may be stored in the IC Card, so as to define a shopping history of the customer.

Ogasawara, col. 7, lines 33-41.

As can be seen, the passages cited above merely teach storing electronic receipts to define a shopping history of customers. This shopping history may be used to facilitate a subsequent payment procedure. However, there is nothing in these sections or any other section of *Ogasawara* that teaches or suggests that merchants and manufacturers may use the electronic receipts to send product information to customers such as extended warranties, product upgrades, product recalls, product safety updates, identical items available for exchange and alternative and substitute items available for exchange. In fact, there is nothing in the entire *Ogasawara* reference that implies that the electronic receipts are used by merchants and manufacturers to send this type of information to customers. The only thing sent to the customer in *Ogasawara* is an electronic receipt and no mention of any such product information is taught or suggested as being sent to the customer.

Therefore, the *Makipaa* and *Ogasawara* references fail to teach or suggest the present invention as recited in claim 10. Accordingly, applicants respectfully request that the rejection of claim 10 under 35 U.S.C. § 103 be withdrawn.

II. **35 U.S.C. § 103, Claims 8, 11-12, 14, 18, 20, and 22**

The examiner rejects claims 8, 11-12, 14, 18, 20, and 22 under 35 U.S.C. § 103(a) as being allegedly unpatentable over *Makipaa et al.* (U.S. Patent No. 6,394,341) in view of *Ogasawara* (US Patent No. 6,577,861 B2) and further in view of *Smith* (U.S. Patent No. 6,487,540). This rejection is respectfully traversed for at least the same reasons as set forth above with regard to claims 1 and 15 from which claims 8, 11-12, 14, 18, 20, and 22 depend.

Specifically, *Makipaa*, *Smith*, and *Ogasawara*, either alone or in combination, do not teach or suggest setting a user preference in a customer profile, wherein the user preference specifies one or more databases, out of a plurality of databases, to which an electronic receipt is to be sent from point of sale devices as recited in claims 1, 15 and 23 from which claims 8, 11-12, 14, 18, 20, and 22 depend.

The *Smith* reference also does not teach or suggest setting a user preference in a customer profile, wherein the user preference specifies one or more databases, out of a plurality of databases, to which an electronic receipt is to be sent from point of sale devices. Instead, *Smith* is directed to a system for the generation, management and transmission of electronic receipts. An electronic receipt is generated by a vendor device at a point-of-sale. When a transaction takes place, an electronic receipt is transmitted from the vendor device to a purchaser device where the receipt is stored for further processing within the device or for further transmission to other devices and systems. Once the electronic receipt information has been transmitted to the purchaser device, the information derived from the electronic receipt may be processed and manipulated to provide a user with an accounting of each item purchased along with purchase information.

Thus, *Smith* is merely concerned with the transfer of an electronic receipt to a purchaser's device. Further, while *Smith* may disclose that a user can store the receipt on multiple devices, the storing to multiple devices is not in response to a user setting a preference in a customer profile. For example, as explained at column 5, line 51 – column 6, line 2 of *Smith*:

WVD 20 may communicate electronic receipt information or other information via short range transceiver 24 or via direct cable connection to WPD input/output 12 for direct wireline communications.

WPD 2 may also communicate with secondary computing device 30 which may comprise a variety of devices including, but not limited to, a desktop computer, a mainframe computer, a storage device, a network server, an Internet

site and many other computing devices. Secondary computing device 30 may be used for storage and processing of electronic receipt information. When WPD 2 has limited processing ability, limited display capability, limited memory or other limited features, secondary computing device 30 may receive information from WPD 2 for processing, display, storage, conversion or other manipulation or use. Even when WPD 2 does not have limited features, information may be transmitted to secondary computing device 30 for archival storage, redundant file maintenance or any other reason.

Thus, the wireless vendor device (WVD) communicates the electronic receipt information to the wireless purchaser device (WPD). Once the WPD has the electronic receipt information stored, a user can choose to transfer the information from the WPD to a secondary computing device such as a desktop computer. Further, the closest feature to a profile taught in *Smith* is a “Purchaser ID” that is included in the receipt information. This “Purchaser ID”, however, does not have a user set preference that specifies a database to send an electronic receipt. Thus, while the electronic receipt information may be stored to either the WPD or the secondary device, the user does not set preferences in a customer profile to specify which database or databases to send the electronic receipt to from point of sale devices.

Thus, *Makipaa*, *Smith*, and *Ogasawara*, either alone or in combination, fail to teach or suggest setting a user preference in a customer profile, wherein the user preference specifies one or more databases, out of a plurality of databases, to which an electronic receipt is to be sent from point of sale devices. While each of the above mentioned references are directed to generating electronic receipts and sending the electronic receipt to databases or other storage devices, the user in each of the above mentioned references cannot determine which database the electronic receipt is going to be sent to from the point of sale device by setting a user preference in a customer profile.

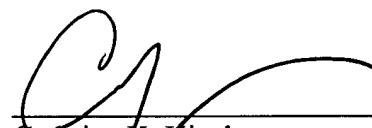
As for claims 8, 11-12, 14, 18, 20, and 22, *Makipaa*, *Smith*, and *Ogasawara*, either alone or in combination, fail to teach or suggest setting a user preference in a customer profile, wherein the user preference specifies one or more databases, out of a plurality of databases, to which an electronic receipt is to be sent from point of sale devices. While each of the above mentioned references are directed to generating electronic receipts and sending the electronic receipt to databases or other storage devices, the user in each of the above mentioned references cannot determine which database the electronic receipt is going to be sent to from the point of sale device by setting a user preference in a customer profile.

Claims 8, 11-12, and 14 are dependent claims depending from claim 1, and claims 18, 20, and 22 are dependent claims depending from claim 15. The *Makipaa*, *Smith*, and *Ogasawara* references still do not teach or suggest all the claim limitations in claims 8, 11-12, 14, 18, 20, and 22, as argued in the response to the rejection of independent claim 1 above. Consequently, claims 8, 11-12, 14, 18, 20, and 22 are patentable over the cited references because the combination of the *Makipaa* and *Ogasawara* reference with *Smith* would not reach the presently claimed invention. The features relied upon as being taught in the *Makipaa* and *Ogasawara* references are not taught or suggested by the references, as explained above. As a result, a combination of these references would not reach the claimed invention in claims 8, 11-12, 14, 18, 20, and 22.

Accordingly, applicants respectfully request withdrawal of the rejection of claims 8, 11-12, 14, 18, 20, and 22 under 35 U.S.C. §103(a).

CONCLUSION

In view of the comments above, it is respectfully urged that the rejection of claims 1-24 not be sustained.



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APPENDIX OF CLAIMS

The text of the claims involved in the appeal are:

1. A method for managing an electronic document within a computer network, the method comprising:
 - creating a customer profile for a user;
 - setting a user preference in a customer profile, wherein the user preference specifies one or more databases, out of a plurality of databases, to which an electronic receipt is to be sent from point of sale devices;
 - creating an electronic receipt containing information about a transaction executed by the user at a point of sale device; and
 - sending the electronic receipt from the point of sale device to the one or more databases specified by the user preference.

2. The method according to claim 1, further comprising:
 - receiving search parameters from the user, wherein the search parameters specify an electronic receipt within the one or more databases specified by the user preference;
 - initiating a receipt search object which retrieves the specified electronic receipt from the one or more databases specified by the user preference, according to the search parameters; and
 - downloading a copy of the retrieved electronic receipt to a client machine designated by the customer profile.

3. The method according to claim 1, wherein the customer profile comprises at least one of the following:

customer name;

password;

credit card numbers;

client machine addresses;

tax deduction information;

purchase classification; and

personal financial manager applications used on a client machine.

4. The method according to claim 1, wherein the database containing the electronic receipts is on a credit card company server.

5. The method according to claim 1, wherein the database containing the electronic receipts is on a manufacturer server.

6. The method according to claim 1, wherein the database containing the electronic receipts is on a merchant cash receipt server.

7. The method according to claim 1, wherein the database containing the electronic receipts is on a clearing house server.

8. The method according to claim 1, wherein the electronic receipt further comprises at least one of the following:

customer name;
customer password;
item type;
brand name;
date of purchase;
purchase price;
method of purchase;
credit card number;
tax deduction status; and
warranty information.

9. The method according to claim 1, wherein the search parameters comprise at least one of the following:

customer name;
customer password;
item type;
brand name;
approximate date of purchase;
approximate purchase price;

method of purchase;

credit card number; and

tax deduction status.

10. The method according to claim 1, wherein merchants and manufacturers may use the electronic receipts to send product information to customers, the product information comprising at least one of the following:

extended warranties;

product upgrades;

product recalls;

product safety updates;

identical items available for exchange; and

alternative and substitute items available for exchange.

11. The method according to claim 1, wherein the electronic receipts are encrypted, preventing the information content of the electronic receipts from being modified.

12. The method according to claim 1, wherein the client machine may be at least one of the following:

personal computer;

laptop computer;

personal digital assistant;

mobile telephone; and

palm computer.

13. The method according to claim 1, further comprising:

initiating the receipt search object to delete an electronic receipt from the database, according to the search parameter.

14. The method according to claim 1, further comprising:

initiating the receipt search object to automatically delete an electronic receipt from the database at a predefined time.

15. A computer program product in a computer readable medium for use in a data processing system, for managing an electronic document within a computer network, the computer program product comprising:

instructions for creating a customer profile for a user;

instructions for setting a user preference in a customer profile, wherein the user preference specifies one or more databases, out of a plurality of databases, to which an electronic receipt is to be sent from point of sale devices;

instructions for creating an electronic receipt containing information about a transaction executed by the user at a point of sale device; and

instructions for sending the electronic receipt from the point of sale device to the one or more databases specified by the user preference.

16. The computer program product according to claim 15, further comprising:

instructions for receiving search parameters from the user, wherein the search parameters specify an electronic receipt within the one or more databases specified by the user preference;

instructions for initiating a receipt search object which retrieves the specified electronic receipt from the one or more databases specified by the user preference, according to the search parameters; and

instructions for downloading a copy of the retrieved electronic receipt to a client machine designated by the customer profile.

17. The computer program product according to claim 15, wherein the customer profile comprises at least one of the following:

customer name;

password;

credit card numbers;

client machine addresses;

tax deduction information;

purchase classification; and

personal financial manager applications used on a client machine.

18. The computer program product according to claim 15, wherein the electronic receipt further comprises at least one of the following:

customer name;

customer password;

item type;
brand name;
date of purchase;
purchase price;
method of purchase;
credit card number;
tax deduction status; and
warranty information.

19. The computer program product according to claim 15, wherein the search parameters comprise at least one of the following:

customer name;
customer password;
item type;
brand name;
approximate date of purchase;
approximate purchase price;
method of purchase;
credit card number; and
tax deduction status.

20. The computer program product according to claim 15, wherein the electronic receipts are encrypted, preventing the information content of the electronic receipts from being modified.

21. The computer program product according to claim 15, further comprising:
instructions for initiating the receipt search object to delete an electronic receipt from the database, according to the search parameter.
22. The computer program product according to claim 15, further comprising:
instructions for initiating the receipt search object to automatically delete an electronic receipt from the database at a predefined time.
23. A system for managing an electronic document within a computer network, the system comprising:
a storage component which contains a customer profile for a user;
an input component for setting a user preference in a customer profile, wherein the user preference specifies one or more databases, out of a plurality of databases, to which an electronic receipt is to be sent from point of sale devices;
a processing component which creates an electronic receipt containing information about a transaction executed by the user at a point of sale device; and
a communication component which sends the electronic receipt from the point of sale device to the one or more databases specified by the user preference.

24. The system according to claim 23, further comprising:
 - an input component which receives search parameters from the user, wherein the search parameters specify an electronic receipt within the one or more databases specified by the user preference;
 - a processing component which initiates a receipt search object to retrieve the specified electronic receipt from the one or more databases specified by the user preference, according to the search parameters; and
 - a downloading component which downloads a copy of the retrieved electronic receipt to a client machine designated by the customer profile.